

BILL

No 88 of 1931

An Act to amend The Municipal Hail Insurance Act

(Assented to , 1931)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows

1. This Act may be cited as "*The Municipal Hail Insurance Act Amendment Act, 1931.*"

2. *The Municipal Hail Insurance Act*, being chapter 174 of the Statutes of Alberta, 1924, is hereby amended as to section 9 thereof by striking out the proviso to subsection (2) and by substituting therefor the following

"Provided, however, that in the case of a municipal district in which the number of applicants for insurance does not exceed either thirty in the preceding year or an average of thirty for the preceding three years, no representative shall be appointed by the council of that district."

3. The said Act is further amended by inserting therein, immediately after section 23, the following new section:

"23a. The board shall, not later than the first day of June in each year, fix the maximum amount of the indemnity to be payable per acre in respect of loss, such amount not to be in excess of the sum of ten dollars."

4. The said Act is further amended as to section 24 thereof—

(a) by striking out paragraph (c) of subsection (4) thereof and by substituting therefor the following:

"(c) subject to the amount of the maximum indemnity fixed by the board for the current year, the amount of the maximum indemnity to be payable per acre in respect of loss."

(b) by adding at the end of subsection (4) thereof the following new paragraph:

"(c) the percentage of the risk to be assumed by the applicant"

(c) by striking out subsection (5) thereof and by substituting therefor the following

"(5) No insurance shall be granted in the case of an applicant who is more than one year in arrears for hail insurance taxes."

(c) by adding the following provisos to subsection (7) thereof:

"Provided always that the board may in its discretion accept an application received after a loss has been incurred, upon the board being satisfied that such application had been made in good faith and before the occurrence of the loss."

"Provided further that the board may in its absolute discretion refuse any application for insurance under this Act."

5. The said Act is further amended as to section 29 thereof by striking out subsection (1) thereof and by substituting therefor the following:

"(1) The maximum indemnity to be paid for total loss shall be the amount set out in the application for insurance as accepted by the board or as set out in the application for increase as accepted by the board, as the case may be."

6. The said Act is further amended as to section 31 thereof by striking out paragraph (b) and by substituting therefor the following:

"(b) such sum as in the opinion of the board will be sufficient to pay the current hail tax payable by the person or persons entitled to the indemnity, and upon the determination of the rate of tax payable under this Act for the then current year shall, out of the moneys so deducted, remit to any municipal district the amount of tax payable by such person or persons to such municipal district for the then current year, together with the arrears deducted as hereinafter provided, and thereafter shall remit to such person or persons direct the balance (if any) remaining in its hands."

7. The said Act is further amended by inserting therein, immediately after section 33 thereof, the following new section:

"33a. The board may at any time before the first day of June in any year, define and designate any one part or more parts of the hail insurance district as a special area or as areas for that year, and thereupon and for such year the other provisions of this Act relating to the fixing of the tax rate and the payment of the indemnity shall cease to apply to any such area, and in lieu thereof the following provisions shall apply thereto, namely:

"(a) The board shall, within the time aforesaid, fix a flat uniform rate per acre of insured crop for each such area, which rate may be fixed at different rates for different areas.

"(b) The proceeds of such rate shall be paid to the credit of a special fund for each such area.

- “(c) The board shall deduct and retain for cost of operation out of each such special fund an amount representing the fair proportion of the operating cost of the board
- “(d) In case the special fund, after deducting the cost of operation, is insufficient to pay all indemnities in full, the amount of the indemnity payable in any case in such area shall be that proportion of the special fund which such indemnity bears to the total of all indemnities payable in such area.
- “(e) In any such area there shall be no indemnity for damage to crop by hail which occurs at any time except after the date of application and before the first day of October, and no such indemnity shall be paid before the fifteenth day of October ”

8. This Act shall come into force on the day upon which it is assented to.

FIRST SESSION

SEVENTH LEGISLATURE

21 GEORGE V

1931

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An Act to amend The Municipal Hail
Insurance Act

Received and read the

First time .. .

Second time

Third time

HON. MR REID

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